REMARKS/ARGUMENTS

Withdrawal of the restriction requirement is respectfully requested for the following reasons.

The Official Action suggests that the inventions identified in connection with groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. In support of this, the Official Action identifies in connection with Group I an element that is not recited in Groups II and III.

As noted in MPEP §1893.03(d), "A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature."

At the very least, Groups I-III are linked to form a single general inventive concept, in so far as the claims of Group I recite a nonwoven fabric that includes a surface for fastening the male component of a hook and loop fastener system, the claims of Group II recite needling a fibrous web to obtain a dense material that has a loop-free open structure suitable for the male component of the hook and loop fastener to fasten thereto, and the claims of Group III recite a hook and loop fastener system that includes a female component and a male component. It is suggested

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that the special technical feature of a hook and loop fastener system is common to Groups I and II and at least a loop-free structure that is suitable for the male component of a hook and loop fastener to fasten thereto is common to at least Groups I and II as originally recited and that has been added to claim 33 of Group III to more clearly recite the common special technical feature. Accordingly, reconsideration and withdrawal of the restriction and examination of all the claims is respectfully requested.

Claims 22-43 were previously pending in the application. Claim 42 is canceled, leaving claims 22-41 and 43 for consideration.

The cancellation of claim 42 is believed to address the claim objection noted in the Official Action.

The Information Disclosure Statement submitted on August 21, 2001 included a copy of each of 14 references as evidenced by a copy of the date-stamped postcard receipt submitted herewith. However, to ensure that these references are noted on the face of any patent that may issue in connection with the present application, applicant resubmits references AH-AP and respectfully requests that the same be considered.

Claims 22, 23, 25, 27, and 29 are rejected as being anticipated by LeVAN 4,999,232, and claims 24, 26, and 28 are

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rejected as being unpatentable over LeVAN in view of KWOK 5,618,364.

Reconsideration and withdrawal of the rejections are respectfully requested because the references do not disclose or suggest, alone or in combination, that a nonwoven fabric includes a surface for fastening the male component of a hook and loop fastener system that has a loop-free open structure suitable for the male component of the hook and loop fastener to fasten thereto, as recited in claim 22 of the present application.

By way of example, page 2, lines 17-26 of the present application disclose that an object of the present application is a fastener device that consists of a nonwoven fabric comprised of a carded fibrous web of functional polymer fibers and binding fibers that are bound together mechanically by needling. Additional bindings affected by partially melting the binder fibers. This results in a relatively dense material that has a sufficiently open structure to enable the male component of a hook and loop fastener system to fasten therein. The fastener device is also sufficiently stable to prevent the fibers from being torn away from the surface as the hook component of the fastener is released. It is also sufficiently stable for the hook component of the fastener to be fastened, released from the fastener device and moved to a new position thereon.

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Accordingly, in order to form a nonwoven fabric that enables the male component of a hook and loop system to fasten therein, binder fibers are needled to functional polymer fibers and the binder fibres are partially melted.

LeVAN is directed to stretchable batts or batting for use in apparel. Batting comprises layering fibers, or more specifically, cotton, wool or synthetic fiber is wadded into rolls or sheets as defined by the *American Heritage Dictionary of the English Language*, 4th Ed.

LeVAN at column 3, lines 55-63, for example, disclose that batts may be formed using binder fibers or by needle-punching, not a combination of the two. LeVAN further discloses at column 4, lines 66 through column 5, line 2, that any heating step is performed at a temperature that does not melt or otherwise degrade the fibers. Accordingly, LeVAN discloses cross-lapped or cross-laid webs that form a batting that is stretchable in both a machine direction and the cross direction that is suitable in apparel such as gloves and stretch pants. Such gloves and stretch pants do not have a loop-free open structure suitable for the male component of a hook and loop fastener to fasten thereto, as recited in claim 22 of the present application.

KWOK also discloses a batting that is used as a fill material for articles such as cushions and other furnishing materials including batting materials and mattress pads, quilts,

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comforters and duvets. KWOK does not disclose or suggest a loop-free open structure suitable for the male component of a hook and loop fastener to fasten thereto, as recited in claim 22 of the present application.

The above-noted feature is missing from each of the references, is absent from the combination, and thus is not obvious to one having ordinary skill in the art.

Further, column 3, lines 36-40 of KWOK teaches that the preferred embodiment includes spraying the batt with a resin to bond the batt. Column 5, lines 8-17 of LeVAN also teaches using a resin product by spraying to add force to recovery and minimize elongation or permanent stretch. Accordingly, the cited references do not teach an open structure and in fact teach away from an open structure by teaching a structure that uses a resin to bond the fibers.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Should there by any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

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The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- copy of date-stamped postcard receipt

- PTO Form 1449 listing references AH-AP with copies of 9 references

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